

REMARKS

The application has been amended and is believed to be in condition for allowance.

The Official Action stated that the last amendment was not responsive as the amended claim did not read on the elected species. The last amendment was therefore not entered. This amendment replaces the last amendment filed on May 16, 2006 and the amended independent claim reads on the elected species as illustrated by Figure 4.

The amendments and new claims are supported at least by the disclosure found on page 6, 4th paragraph, taken together with Figure 4.

Claim 10 has been cancelled as it does not read on Figure 4. Applicant is of course able to file a divisional application directed to the non-elected species at any time during the pendency of the present application.

The claims were rejected as indefinite.

The "means for limiting ..." has been amended to be clarified in the appropriate claims. Support for these amendments can be found at least in specification page 3, paragraph 3 and page 5, paragraph 2.

For the claim 23's recited range, see specification page 7, last paragraph.

As the claims have been amended responsive to the indefiniteness rejection, withdrawal of the indefiniteness rejection is solicited.

Claims 1-2, 6, 8, 10, 15, and 21-23 stand rejected as obvious over TAYLOR 4,768,627.

Claim 9 stands rejected in further view of JP 09-059921.

Argument

TAYLOR does not render obvious independent claim 1 or its dependent claims.

First, TAYLOR does not teach or suggest the amended recitation that one of the secondary chambers (16) communicates with a complementary chamber (24) via at least two holes (25), which complementary chamber (24) contains an air volume (31) and is connected (27; 28; 29; 33) to the other secondary chamber (15) such that the high viscosity fluid circulates freely between the two secondary chambers (15, 16) and the air volume (31) in contact with the high viscosity fluid in the complementary chamber (24).

TAYLOR does not teach or suggest an at least partially fluid-filled secondary chamber present.

TAYLOR does not teach or suggest the air volume (31) being in contact with the high viscosity fluid in the complementary chamber.

Further, the TAYLOR device requires the presence of bellows 60 and 61 in order to work properly. These bellows have substantial disadvantages. First, the number of fluid tight connections to other parts of the damper required is at least two at each end of the shaft 32 or the cylinder 11 and each end of the bellows, respectively. This, together with the fact that such bellows need to be present, makes the construction in TAYLOR quite complicated. In contrast, in the presently-claimed invention, no such bellows are necessary and no fluid-tight fixation thereof is required.

In the TAYLOR device, no air volume is present inside the bellows: "Chambers 79 and 80 are also filled with hydraulic fluid, and thus there is a continuous body of hydraulic fluid within chambers 57, 59, 79 and 80 and the clearances at bushings 52 and 53". See column 3, lines 59-63 in TAYLOR. In contrast, in the present invention one of the secondary chambers contains an air volume 31 and is therefore not completely filled with fluid.

In view of the complex structure of TAYLOR, one of skill would not modify TAYLOR to include the above-noted missing features. Therefore, TAYLOR does not render obvious the present invention.

TAYLOR also does not anticipate or render obvious the new claims. Claim 28 corresponds generally to claim 1. TAYLOR

does not teach or suggest the recited combination of damper, comprising:

a guiding cylinder having the recited main and secondary chambers, the through-orifices (14) located within the piston ring and allowing the fluid to move from one side of the piston ring to another side of the piston ring, the through-paths (17, 18) connecting each of the secondary chambers to the main chamber with limiting elements (19, 21) inserted in the through-paths to limiting passage of the fluid from the main chamber toward the secondary chambers and facilitating leakage of the fluid from at least one of the secondary chambers towards the main chamber, and the complementary chamber (24) extending along longitudinal direction (30) and located exterior to the second secondary chamber (16), where at least two holes (25) connect the second secondary chamber to the complementary chamber, the complementary chamber (24) containing an air volume (31) and connecting (27; 28; 29; 33) to the first secondary chamber (15) such that the fluid circulates freely between the two secondary chambers (15, 16).

Nor does TAYLOR teach or suggest the further dependent recitations of i) such a damper configured to be fitted substantially horizontally, ii) wherein the air volume (31) is in contact with the fluid in the complementary chamber (24), and iii) wherein, the complementary chamber (24) has a longest longitudinal dimension in the longitudinal direction, in use, the

air volume (31) has a longest longitudinal dimension in the longitudinal direction, and the air volume (31) occupies an upper part of the complementary chamber (24).

For these reasons, all the claims are believed allowable.

Further, the not-mentioned dependent claims are allowable at least for depending from an allowable claim.

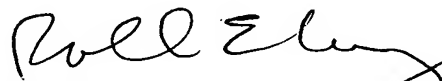
Reconsideration and allowance of all the pending claims are respectfully requested.

In view of the above, applicant believes that the present application is in condition for allowance and an early indication of the same is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



Roland E. Long, Jr., Reg. No. 41,949
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

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